

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 29TH SEPTEMBER, 2022**

**PRESENT:** Councillor E Taylor in the Chair

Councillors B Anderson, C Campbell,  
S Hamilton, R Finnigan, T Smith,  
J Garvani, J Heselwood, N Walshaw and  
K Brooks

### **41 Appeals Against Refusal of Inspection of Documents**

There were no appeals against refusal of inspection of documents.

### **42 Exempt Information - Possible Exclusion of the Press and Public**

There were no exempt items.

### **43 Late Items**

There were no formal late items.

### **44 Declarations of Interests**

No declarations were raised at the meeting.

### **45 Apologies for Absence**

Apologies were received from Councillor D Ragan and Councillor Bowden.  
Councillor K Brooks attended as a substitute on behalf of Councillor Bowden.

### **46 Minutes - 1 September 2022**

**RESOLVED** – That the minutes from the meeting held on Thursday, 1<sup>st</sup> September 2022 be approved as an accurate record, subject to the following inclusion to Minute No.39 to the resolution:

- Community use of the facility
- Management / maintenance of the historic track

### **47 22/01376/FU - former South Leeds Golf Course, Gipsy Lane, Beeston**

The report of the Chief Planning Officer detailed an application for a new proposed 3G pitch and tennis courts and associated fencing up to 4.5metres high at the former South Leeds Golf Course, Gipsy Lane, Beeston.

The application was presented at the South and West Plans Panel on 1<sup>st</sup> September 2022, where Members requested that further information be

provided and / or specific conditions be added (as appropriate) relating to the following issues:

- Landscape Management plan
- Car park management
- Construction Environmental Management Plan
- Biodiversity Enhancement Management Plan
- Biodiversity Monitoring Programme
- Construction Access Management Plan
- Community Use Agreement
- End of life strategy for the pitch surface material (including rubber crumb)

A member sought clarity on the position regarding a late representation circulated to all Panel Members on behalf of the Executive Member for Economy, Culture and Education, sharing his support for the application. The Legal Officer clarified that ultimately the representation was to be regarded in the same manner as any late representation relating to a development proposal. At Chair's discretion, it was being summarised as part of the Officer's presentation and could be taken into account in this way. The points raised within the letter did not raise any points which had not previously been considered in discussions or addressed within the Officer report. Further, the information circulated was not an instruction from the Executive Member to determine the application in a particular way, simply a late representation to the application. The role of Members at Plans Panel was to act as decision-makers within the planning committee format for the Council as local planning authority, distinct from the Council as local authority.

Photographs and slides were shown throughout the presentation, with Members provided with the following information:

- A Community Use Agreement has been appended to the report (Appendix 2) and it was confirmed that the school in conjunction with Leeds City Council's Lettings Team will manage facilities. The community use hours are proposed as Monday – Friday 17:00 until 21:00 hrs, Saturday 0800 until 1700 hrs and Sunday 0800 until 1700 hrs during term-time. Monday – Friday 0800 until 2100 hrs, Saturday 0800 until 1700 hrs and Sunday 0800 until 1700 hrs during school holidays.
- If Panel Members do not accept the Community Use Agreement, an alternative condition has been proposed and outlined in the submitted report at paragraph 11.
- There are several operators who provide innovative solutions for dealing with end-of-life rubber crumb waste and re-using such materials. Colleagues know of companies in Leeds regulated to deal with rubber crumb. It was confirmed that the school will have to ensure end-of-life playground surface is collected by a registered waste carrier. It is not appropriate to add a condition to regulate this issue as it does not satisfy all the necessary tests to ensure a valid and enforceable planning condition. Further, this is an element that would

be regularised by way of other legislative, regulatory provisions. The planning system cannot seek to duplicate / usurp this.

- All proposed new playing surfaces and access paths are to be formed with porous materials. The volume of the gravel layer beneath the pitch is sufficient to store a 1:100 year event rainfall plus a 40% for climate change. Stored water is discharged into the nearby stream via a 'Sump Pit' which is also filtered. It was also noted that the gravel acts as a filter to remove pollutants from the rainfall. The drainage department have not raised any objections to the process as proposed.
- There will be mitigation boards to the fence to stop debris escaping the pitches.
- The applicant cannot provide any additional trees; however, the scheme is policy compliant and also provides an additional 15 trees above what is required.
- It has been advised that for safeguarding reasons, the perimeter fence should not be moved. The maintenance of the fence falls within the school's responsibility and a condition has been imposed for the school to retain and maintain the footpath.
- A representation from South Leeds Former Golf Course Group explains that – while the site itself is not within the boundary of the Beeston Neighbourhood Plan (as advised at the previous Panel meeting) – part of the footpath is contained within the Beeston Neighbourhood Plan. However, it was to be noted that the Neighbourhood Plan is still in its preparation stage and therefore substantive weight cannot be given to it as part of the decision-making on this application.
- Further representations since the last Panel meeting request that further conditions are imposed regarding not allowing the school to submit any further planning applications and for the school to provide evidence of sporting activities for the next 10 years. Both requests are considered unnecessary and are not imposed on any other school in Leeds.
- The South Leeds Former Golf Course Group included within their representation articles and weblinks on the impact of using rubber crumb materials and environmental health impacts. It was confirmed that there is currently no legislation to restrict its use and as such, is not appropriate to impose a condition or restrict its use through the planning process.

Further to a comment from a Panel Member seeking clarity on an additional condition to be added, it was confirmed that it was not possible to add in a condition to restore the area to greenbelt if the pitch ceases to be used.

In offering comments, Panel Members added that:

- It is believed that a small number of trees proposed to be lost and the loss of the 5% golf course does not represent a significant loss of greenspace for the community. Further, balanced against this there is to be replacement of trees in accordance with the 3:1 ratio required under policy.

- There are no sufficient reasons to refuse the application. A green railing fence in the greenbelt is not enough to refuse the application.
- The application seeks to add a community space for community use and enhance educational provision and opportunities.
- The matter calls for a balancing exercise to be undertaken, but with the negative and adverse impacts of the proposal actually being so slight compared to the positives that there cannot be deemed sufficient reasons for refusal.
- Concerns remain regarding lighting issues, and it was requested that the Community Use Agreement be amended to restrict use of the pitch and tennis courts to daylight only. Members did not want to restrict use of indoor school facilities and requested that wording is amended to reflect this. Officers explained that any request for lighting will be subject to an additional planning application. It was confirmed that the wording of the Community Use Agreement can be amended to reflect concerns raised by Members.

Upon voting, it was moved and seconded and the majority **RESOLVED** – to grant permission as outlined in the submitted report and subject to the conditions proposed within the report as well as consideration of use of the prefix ‘prior to first use’ where appropriate in the conditions, but also subject to a variation to the Community Use Agreement to restrict use of the 3G pitch and tennis courts to daylight hours only.

#### **48 Date and Time of Next Meeting**

The date and time of the next meeting is scheduled to take place on Thursday, 27<sup>th</sup> October 2022 at 1.30 p.m.

(The meeting ended at 14:20)